

Message Text

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11

ACTION L-03

INFO OCT-01 AF-08 ISO-00 EB-07 COME-00 JUSE-00 TRSE-00

OMB-01 CIAE-00 INR-07 NSAE-00 /027 W

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FM AMEMBASSY LAGOS

TO SECSTATE WASHDC 4545

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FOR L/PM

E. O. 11652: N/A

TAGS: PGOV, PFOR, EINV, NI

SUBJ: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS ABROAD:

NIGERIAN LAWS ON QUESTIONABLE PAYMENTS

REF : STATE 094647, LAGOS A-13, 1/27/76

1. HERewith ANSWERS TO QUESTIONS POSED IN REFTel.

- A. YES.
- B. BY IMPLICATION, YES. SEE PARA 2 BELOW.
- C. YES.
- D. BY IMPLICATION, YES. SEE PARA 3 BELOW.
- E. BY IMPLICATION, YES. SEE PARA 3 BELOW.
- F. YES. SEE PARA 2 BELOW.

2. THE NIGERIAN CORRUPT PRACTICES DECREE (NO. 38) OF 1975

(SUBMITTED AS ENCLOSURE TO REFAIR) PRESCIBES PENALTIES FOR THE OFFER, SOLICITATION, GIVING OR RECEIPT OF GRATIFICATIONS OF ANY KIND FOR THE PURPOSE OF INFLUENCING THE ACTIONS OF ANOTHER PERSON. IT APPLIES NOT MERELY TO GOVERNMENT BUSINESS BUT TO PURELY PRIVATE TRANSACTIONS AS WELL. ALTHOUGH DECREE 38 DOES NOT SPECIFICALLY CALL FOR DISCLOSURE OF PAYMENTS, IT PROVIDES CORRUPT PRACTICES INVESTIGATION BUREAU WITH POWER TO SEARCH AND SEIZE, INSPECT BANKERS' BOOKS, AND GIVE PROTECTION TO INFORMERS.

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3. BY IMPLICATION POLITICAL CONTRIBUTIONS ARE PROHIBITED

AND DISCLOSURE OF SUCH CONTRIBUTIONS IS REQUIRED BY PUBLIC
ORDER DECREE (NO. 33) OF 1966, WHICH DISSOLVES
ALL NIGERIAN
POLITICAL PARTIES AND BANS ALL ACTIVITIES
FOR WHICH THEY WERE
FORMED. PRESIDENTS OR SECRETARIES OF BANNED POLITICAL PARTIES
WERE REQUIRED TO FILE A LIST OF THEIR PARTIES' ASSETS, THEIR
OFFICERS, TRUSTEES, PATRONS AND GUARANTORS. BUSINESS TRANSACTIONS
WITH OR DEALINGS IN THE ASSETS OF ANY POLITICAL PARTY WERE
SIMILARLY BANNED. DECREE 33 HAS BEEN IN EFFECT SINCE MAY 24,
1966.
EASUM

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Message Attributes

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